

Matthew D. Kaufman, WSB #6-3960
Tyler J. Garrett, WSB #6-4400
Melissa K. Burke, WSB #7-5694
HATHAWAY & KUNZ, LLP
P. O. Box 1208
Cheyenne, WY 82003-1208
(307) 634-7723
(307) 634-0985 (fax)
mkaufman@hkwyolaw.com
tgarrett@hkwyolaw.com
mburke@hkwyolaw.com

ATTORNEYS FOR DEFENDANT

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

MO POW 3, LLC and MO POW 4, LLC,)
Plaintiffs,)
vs.) Civil Action No. 1:22-CV-00155-SWS
CRYPTO INFINITI LLC,)
Defendant.)

**DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' COMPLAINT PURSUANT TO
F.R.C.P. 12(b)(6)**

COMES NOW Defendant, Crypto Infiniti LLC, by and through undersigned counsel, and hereby requests that this Court dismiss Claims I, III, IV, and V in Plaintiffs' First Amended Complaint, with prejudice, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. Pursuant to Local Rule 7.1(b)(2)(A), Defendant is concurrently filing a *Memorandum in Support of Defendant's Motion to Dismiss*, with supporting evidence, which is incorporated herein by reference and sets out more fully the grounds for the relief requested.

WHEREFORE, for the reasons stated in *Defendant's Memorandum in Support of Motion to Dismiss*, the Court should grant Defendant's Motion to Dismiss Claims I, III, IV, and V in Plaintiffs' First Amended Complaint pursuant to F.R.C.P. 12(b)(6) with prejudice.

DATED this 29th day of August, 2022.

HATHAWAY & KUNZ, LLP,

By: /s/ Melissa K. Burke

Matthew D. Kaufman, WSB #6-3960
Tyler J. Garrett, WSB #6-4400
Melissa K. Burke, WSB #7-5694
Hathaway & Kunz, LLP
2515 Warren Ave. Ste 500
P.O. Box 1208
Cheyenne, WY 82003
Phone: 307-634-7723
Fax: 307-634-0985

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that on the 29th day of August, 2022, a true and correct copy of the foregoing was served upon counsel as follows:

Jeffrey S. Pope	<input checked="" type="checkbox"/> EM/ECF/Electronic Filing
Kasey J. Schlueter	<input type="checkbox"/> U.S. Mail
Holland & Hart, LLP	<input type="checkbox"/> Fax:
2515 Warren Avenue, Suite 450	<input type="checkbox"/> E-mail
P.O. Box 1347	
Cheyenne, WY 82003-1347	

Attorneys for Plaintiffs

/s/ Candice Hough

Hathaway & Kunz, LLP